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**(Promulgated in pursuance of Rule 273 (3) of Rules of Procedure and
Conduct of Business in Sikkim Legislative Assembly)**

In exercise of the powers conferred by clause (1) of Article 208 of the Constitution of India, the State Legislature of Sikkim hereby makes the following rules to amend the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, namely:-

Short title and Commencement 1. (1) These rules may be called the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly (Amendment) Rules, 2017.

(2) They shall come into force at once.

Amendment of rule 16 2. In the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly (hereinafter referred to as the "said rules"), in rule 16, after the proviso, the following proviso shall be inserted, namely: -

"Provided further that incase the House after being adjourned is re-convened, under the first proviso, the Secretary shall communicate to each member the date, time, place and duration of the next part of session."

Amendment of rule 21 3. In the said rules, in rule 21, the following proviso shall be inserted, namely:-

"Provided that the mover or seconder shall not have any right of reply after the Chief Minister or any other Minister has explained the position of the Government at the end of discussion."

- Amendment of rule 27 4. In the said rules, in rule 27, for the existing words "When the Governor prorogues the House, he may address the House" the following shall be substituted, namely: -
- "The Governor prorogues the House under sub-clause (a) of clause (2) of Article 174 of the Constitution of India. The Governor may address the House at the commencement of the first session of the House each year."
- Amendment of rule 44 5. In the said rules, in rule 44, the following provisos shall be inserted, namely:-
- "Provided that if there is no Question Hour owing to the cancellation of a sitting or its adjournment without transacting any business, the answers to questions included in the lists of questions for oral as well as written answer shall be deemed to have been laid on the Table by the Ministers to whom such questions are addressed at the next sitting of the House after the Question Hour and form part of the proceedings of that day.
- Provided further that if the last sitting of a session is cancelled the Questions in the lists of questions for oral as well as written answer for that day shall lapse."
- Amendment of rule 53 6. In the said rules, in rule 53, after sub-rule (3) the following shall be inserted, namely:-
- "(4) A Member shall not be entitled to ask question on a subject other than the subject on which answer has been given or on a issue which is not the subject for discussion."
- Amendment of rule 55 7. In the said rules, in rule 55, after the words " it infringes the rules regarding question" the following shall be inserted, namely :- " , it does not arise from the main question or its answer, instead of seeking information, it gives information, it involves more than one separate issues, and it seeks confirmation or denial of an opinion."
- Amendment of rule 59 8. In the said rules, in rule 59, in sub-rule (4), after the second proviso, the following proviso shall be inserted, namely :-
- "Provided also that where a Member desires an oral answer to a question at a shorter notice, such Member shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the Member."
- Insertion of "Chapter IX A, Zero Hour" 9. In the said rules, after chapter IX and the entries relating thereto, the following shall be inserted, namely :-
- "Chapter IX A, Zero Hour**
- Rule 60 (A) Zero Hour:**Immediately after the Question Hour and laying of papers, if any, and before the list of business of the day is entered upon, any Member who wishes to raise any matter of urgent public

importance that has occurred after the last date fixed for submission of questions by the member in the present session and before the commencement of the ~~current~~ day's sitting and which cannot be raised under any other provisions of these Rules, can do so, with the previous permission of the Speaker.

Rule 60 (B) Notice for Zero Hour: Notice of Zero Hour shall be given in person or through his representative to the Speaker with brief explanatory statement not exceeding 150 (one hundred and fifty) words one hour before the commencement of the sitting on the day on which it is proposed to be raised.

Provided that a member shall not give more than one notice in a day.

Provided further that not more than 10 (ten) notices shall be allowed to be raised in a day's sitting on the basis at the discretion of the Speaker.

Rule 60 (C) Time limit: No speech on a Zero Hour notice, shall, except with the permission of the Speaker, exceed the duration of 3 (three) minutes.

Rule 60 (D) Reply by the Government: Reply to issues raised in Zero Hour shall be given within the duration of Session."

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| Amendment of rule 83 | 10. In the said rules, in rule 83, after the proviso to sub-rule (1), the following proviso shall be inserted, namely :-

"Provided further that the Speaker shall forthwith put to vote the motion for leave to introduce a Finance Bill or an Appropriation Bill." |
| Amendment of clause (b) of Chapter XIV | 11. In the said rules, in Chapter XIV, in clause (b), for the existing sub-heading "Motion for introduction", the sub-heading "Motion after introduction of Bills" shall be substituted. |
| Amendment of rule 85 | 12. In the said rules, in rule 85, in the second proviso to clause (iii), for the words "five days" the words "two days" shall be substituted. |
| Amendment of rule 86 | 13. In the said rules, in rule 86, after sub-rule (1), the following sub-rule shall be inserted, namely :-

"(1A) No Member shall be allowed to raise any discussion on an issue which is not the subject matter of the Bill." |
| Amendment of clause (c) of Chapter XIV | 14. In the said rules, in Chapter XIV, in clause (c), for the existing sub-heading "Consideration and Amendment of Bills" the sub-heading "Amendment and Consideration of Bills" shall be substituted. |
| Amendment of rule 109 | 15. In the said rules, in rule 109, in sub-rule (1), after the words "information of the Members" appearing at the end, the words "in the form of Bulletin." shall be inserted. |

- Amendment of rule 142 16. In the said rules, in rule 142, the following proviso shall be inserted, namely :-
 "Provided that in order that such a resolution may be admissible, it shall satisfy the following conditions, namely:-
 (i) it shall be specific with respect to charges;
 (ii) it shall be clearly and precisely expressed; and
 (iii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements."
- Amendment of rule 144 17. In the said rules, in rule 144, the following proviso shall be inserted, namely:-
 "Provided that the discussion on the resolution shall be strictly confined to the charges preferred in the resolution."
- Amendment of rule 161 18. In the said rules, in rule 161 and entries relating thereto, for the words and figures "16:00 hours, 17:00 hours wherever they occur, the words "specified hours" shall be substituted.
- Amendment of clause (f) of Chapter XIX 19. In the said rules, in Chapter XIX, in clause (f), for the existing sub-heading "Accounts" the sub-heading "The Appropriation and Finance Accounts and the Report of the Comptroller and Auditor General of India" shall be substituted.
- Amendment of rule 265 20. In the said rules, in rule 265, for the existing proviso to sub-rule (1) the following shall be substituted, namely:-
 "Provided that a Minister shall not be elected a Member of the Committee, and if a member, after election to the Committee, is appointed a Minister, such member shall cease to be a member of the Committee from date of such appointment."
- Amendment of rule 267 21. In the said rules, in rule 267, for the existing proviso to sub-rule (1) the following shall be substituted, namely: -
 "Provided that a Minister shall not be elected a Member of the Committee, and if a member, after election to the Committee, is appointed a Minister, such member shall cease to be a member of the Committee from date of such appointment."
- Amendment of rule 275 22. In the said rules, in rule 275, in sub-rule (3), after the words "State Legislator's Hostel" the words "and matter relating to salaries and allowances and other facilities of Members and pension and other facilities for former members." shall be inserted.
- Amendment of rule 294 23. In the said rules, in rule 294, after clause XI, the following clauses shall be inserted, namely :-
 (XII) shall not shout slogans in the House;
 (XIII) shall not sit or stand with back towards the Chair;
 (XIV) shall not approach the Chair personally in the House. The Member may send chits to the officer at the Table, if necessary;

- (XV) shall not wear to display badges of any kind in the House except the National Flag and SLAS badge in the form of a lapel pin or a badge;
- (XVI) shall not bring or display arms and electronic gadgets in the House;
- (XVII) shall not display flags, emblems or any exhibits in the House;
- (XVIII) shall not leave the House immediately after delivering the speech;
- (XIX) shall not distribute within the precincts of Assembly Building any literature, pamphlets, press notes, leaflets etc. not connected with the business of the House;
- (XX) shall not place one's hat / cap on the desk in the House, bring boards in the Chamber for keeping files or for writing purposes, smoke or enter the House with coat hanging on the arms;
- (XXI) shall not carry walking stick into the House unless permitted by the Speaker on health grounds;
- (XXII) shall not tear off documents in the House in protest;
- (XXIII) shall not bring or play cassette or tape recorder or similar electronic gadgets in the House;
- (XXIV) shall avoid talking or laughing in Lobby loud enough to be heard in the House.
- (XXV) shall not enter the House in an inebriated state."

Amendment of
rule 298

24. In the said rules, in rule 298, in sub-rule (1), after clause (viii), the following clauses shall be inserted, namely :-

- "(IX) make any reference to the strangers in any of the galleries;
- (X) refer to Government official by name; and
- (XI) read a written speech except with the previous permission of the Chair."

Amendment of
rule 321

25. In the said rules, in rule 321, after the words "Speaker may fix" appearing in the last line, the following shall be inserted, namely :-

"subject to the following conditions, namely:-

- (i) it shall not refer to a matter which is not primarily the concern of the State Government;
- (ii) it shall not relate to a matter which has been discussed in the same session or which is substantially identical to the matter already raised by a Member under this rule during session;
- (iii) it shall not raise more than one issue;
- (iv) it shall not contain arguments, inferences, ironical expression, imputations, epithets or defamatory or personalize statements; and
- (v) it shall not refer to proceedings of Assembly /Parliamentary / consultative committees."

L.M. Pradhan, IAS
Secretary
Sikkim Legislative Assembly